

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Small carton) "For Catarrh, Hay Fever, \* \* \* Headache, Asthma, Diseases of the Throat &c. &c. \* \* \* For all Throat Diseases, Asthma, Bronchitis, etc., inhale the smoke, taking it into the lungs; and immediate relief will follow. \* \* \* For Catarrhal Headache they are without a rival;" (circular in small package) "A Remedy for Catarrh \* \* \* Asthma, Hay Fever; All diseases of the Throat, Foul Breath, etc.;" (large carton) "For Catarrh, Hay Fever \* \* \* Asthma, all Diseases of the Throat, Foul Breath, &c. \* \* \* For Catarrh, Hay Fever, \* \* \* and other Nasal Diseases, \* \* \* If the nose is stopped up so that it is almost impossible to breathe, one or two cigarettes will make the head as clear as a bell. For all Throat Diseases, Asthma, &c., inhale the smoke or swallow it, or both, and immediate relief will follow. It is an efficient remedy for Offensive Breath, and will make the most foul breath pure and sweet;" (circular in large package) "A Remedy for Catarrh \* \* \* Asthma, Hay Fever; All Diseases of the Throat; Foul Breath."

On December 12, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17874. Misbranding of Pyros. U. S. v. 58 Bottles of Pyros. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25085. I. S. No. 7521. S. No. 3365.)**

Examination of samples of a drug product, known as Pyros, from the herein-described interstate shipment having shown that its labels bore claims of curative and therapeutic properties that it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Wisconsin.

On September 2, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 58 bottles of Pyros, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Pyros Co., Denver, Colo., on or about June 9, 1930, and transported from the State of Colorado into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the article consisted essentially of compounds of zinc, sodium, ammonium and aluminum, sulphates and chlorides, glycerin, a trace of alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle and carton label and in the accompanying circular, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Used Successfully As An Aid in treatment of infectious mouth conditions, \* \* \* and attendant tooth decay. Sore, tender, ulcerated gums and general oral infections. \* \* \* let it penetrate affected parts \* \* \* If upper teeth or gums are affected, swish between teeth, then brush thoroughly;" (carton) "Pyros For Pyorrhea \* \* \* A remedy for tender, bleeding, spongy or receding gums \* \* \* for preventing decay of the teeth, keeping the gums firm and healthy \* \* \* Give solution time to penetrate gums and affected parts. \* \* \* A remedy for sore, loose, tender or ulcerated gums and teeth and pyorrhea infections generally;" (circular) "Pyros For Pyorrhea \* \* \* Good Health Depends on Mouth Health. The mouth is the one main entrance whereby disease germs gain entrance to the body. In the mouth disease germs multiply, infect the nasal passages or throat and, sooner or later, the entire system. Nature (the perfect physician) installed in the mouth the simple machinery necessary for the warding off of disease, viz: Clean saliva, abundant blood supply and properly adjusted teeth. Therefore, it can be readily seen that a remedy which causes the mouth to properly function is the one that assists nature in warding off disease. The present day customs, diet and mental habits do not permit the mouth to function perfectly as in the days of savagery when the mouth received exercise from the eating of hard, coarse food, and tooth decay and gum diseases were unknown. Pyros Makes Healthy

Mouths \* \* \* it has a definite, selective action on disease germs in the mouth. \* \* \* Pyros Penetrates. Pyros has a peculiar penetrating action, so that it even attacks deep, underlying, inflamed conditions. Pyros makes clean, healthy saliva, \* \* \* In diseased conditions of the mouth Pyros should be used as near full strength as possible. \* \* \* For Pyorrhea—Take one teaspoonful in mouth and let it penetrate the affected parts \* \* \* If the upper teeth or gums are affected, hold head downward or sideways Swish between the teeth and then brush thoroughly \* \* \* For Trench Mouth (Vincent's Angina) or other acute inflammations of the mouth where pain is present \* \* \* For Ulcerative Gums \* \* \* Tender Gums \* \* \* Bleeding Gums \* \* \* Spongy Gums. Where the gums are soft, flabby and bleed easily use one part Pyros to four of water \* \* \* Turgid Gums. Where gums are congested and swollen use Pyros the same as for spongy gums. \* \* \* After Extraction \* \* \* Pyros \* \* \* prevents the development of infectious conditions \* \* \* By its daily use you can guard the entire system against contagion and disease. The teeth remain clean, the gums firm and natural in color. Finish with a single gargle and you will have a healthy \* \* \* throat. \* \* \* It will save you endless dental and medical expense \* \* \* It is an excellent preventive. \* \* \* How to Prevent Decay of the Teeth at Home. Pyros actually prevents and arrests decay of the teeth. The definite and selective germicidal action of Pyros stops the bacterial acid detrition in the first stages of tooth decay. Even well developed cavities become less sensitive. \* \* \* take Pyros one part to water four parts and brush this solution into the cheeks, gums and teeth for three minutes. If this is done morning and evening you will keep your teeth free from cavities or decay. \* \* \* Universally Endorsed. It is agreed by scores of Dental Scientists, Pyorrhea Specialists and Oral Surgeons that never in the life of the world has there been anything to equal the merit of Pyros for stopping or preventing Pyorrhea, Trench Mouth and other oral afflictions. Pyros for Pyorrhea."

On November 15, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17875. Misbranding of Alvita tea. U. S. v. 72 Packages of Alvita Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25342. I. S. No. 9615. S. No. 3596.)**

Examination of samples of Alvita tea from the herein-described interstate shipment having shown that the article did not possess the curative and therapeutic effects claimed for it in the accompanying circular, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of New York.

On November 21, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 72 packages of Alvita tea, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Alfalfa Products Co., from Pasadena, Calif., on or about September 2, 1930, and transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of plant material derived from alfalfa.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects, appearing in the labeling, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular) "Dodging Microbes in these days of epidemics of \* \* \* and influenza and of other diseases, it is futile to attempt to escape ill health by 'Dodging Microbes.' Physical examination of a community of peoples reveals the fact that from 80 to 90 per cent of healthy people carry the germs of pneumonia in the mouth and throat, and that these germs are ever with us. \* \* \* 90 per cent of our children become infected with the germs of tuberculosis before reaching the twelfth year, but a relatively small proportion develop the disease. \* \* \* The protein material in our foods corresponds to the iron with which the machine is kept in repair, the difference being that when the right material is supplied to the body in the form of food, the body engine is capable of repairing itself. \* \* \* A frequent trouble comes